

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

VISION INDUSTRIES GROUP, INC.,

Plaintiff,

v.

ACU PLASMOLD, INC., *et al.*,

Defendants.

Civil Action No.: 2:18-cv-06296-JKS-CLW

ORDER

For the reasons stated in the Court's accompanying opinion, it is on this 21st day of August 2024, hereby

ORDERED that plaintiff Vision Industries Group, Inc.'s ("Vision") motion for sanctions (ECF No. 224) is **GRANTED IN PART and DENIED IN PART**; and it is further

ORDERED that the portions of Vision's motion seeking (i) to preclude defendant ACU Plasmold, Inc. ("ACU") from introducing at trial documents that were not produced before the fact discovery deadline and (ii) seeking an award of attorney's fees and costs are **GRANTED**; and it is further

ORDERED that ACU shall be precluded from introducing at trial documents that were not produced before May 8, 2020; and it is further

ORDERED that the within award of fees and costs is imposed against ACU, not its counsel; and it is further

ORDERED that within thirty (30) days of this order, Vision shall submit to the Court a Certification setting forth the costs and fees it incurred in connection with (i) the discovery proceedings discussed in Section IV(a)(2) of the accompanying opinion and (ii) the instant motion and ECF No. 104 and 124, along with attendant billing records; and it is further

ORDERED that the portions of Vision's motion seeking to preclude ACU from (i) challenging Vision's damages expert on the basis of the underlying financial information Vision's expert relies on to form opinions; and (ii) presenting testimony and/or evidence as to sales or expenses of ACU or ACU Hardware USA are **DENIED WITHOUT PREJUDICE** with leave to renew at the time of trial.

s/ Cathy L. Waldor
Hon. Cathy L. Waldor, U.S.M.J.